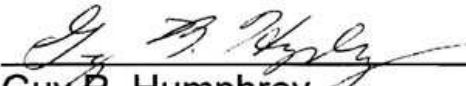


This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.

IT IS SO ORDERED.

Dated: May 13, 2011




Guy R. Humphrey
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

In re: BRUCE E. SPENCER
CHRISTIE A. SPENCER,

Debtors

Case No. 11-30118

Judge Humphrey
Chapter 7

Order Denying Motion for Relief from Stay (Doc. 28), Without Prejudice

On May 10, 2011, Creditors Bailey Broadbent, Nicholas Berger, Melanie Berger, Lee Ann Scheonrock, and Joseph Tritola filed a *Motion to Lift Automatic Stay Pursuant to 11 U.S.C. sec. 362(d) to Allow Claimants to Proceed to Liquidate their Insurance Claims Against the Debtors to the Extent of the Debtor's Insurance* (Doc. 28) (the "Motion").

The court notes that the procedure presenting the Motion fails to comply with the applicable Federal and Local Bankruptcy Rules (LBR). Specifically, the Motion fails to serve the Debtors, counsel for the Debtors, the Chapter 7 Trustee and the United States Trustee pursuant to LBR 9013-3, more specifically pursuant to LBR 9013-3(e), and fails to provide the 21 day notice required by Local Bankruptcy Rule 9013-1. See sample 21 day notice below as provided in this court's Local Bankruptcy Rules:

Sample 21 Day Notice

NOTICE OF MOTION/OBJECTION

(Name) has filed papers with the court to obtain (relief sought in motion/objection).

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the motion/objection, then on or before **twenty-one (21) days from the date set forth in the certificate of service for the motion/objection**, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to (address of bankruptcy court clerk's office) OR your attorney must file a response using the court's ECF System.

The court must **receive** your response on or before the above date.

You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to (movant/objector's name and address) and (names and addresses of others to be served).

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion/objection and may enter an order granting that relief without further hearing or notice.

Based on the foregoing, all relief requested in the Motion (Doc. 28) is **denied, without prejudice to an "Amended Motion" which substantially complies with this court's Local Bankruptcy Rules.**

IT IS SO ORDERED.

Copies to:

Bruce E. Spencer, 435 Wildwood Drive, Springfield, OH 45504 (Debtors)

David M. Martin, 4 West Main St., Suite 707, Springfield, OH 45502-1316 (Counsel for the Debtors)

John G. Jansing, 124 E. Third St., Suite 300, Dayton, OH 45402 (Chapter 7 Trustee)

MaryAnne Wilsbacher, Office of the United States Trustee, 170 North High Street, Suite 200,
Columbus, Ohio 43215 (Assistant United States Trustee)

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In re:
Bruce E. Spencer
Christie A. Spencer
Debtors

Case No. 11-30118-grh
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0648-3

User: sheltonm
Form ID: pdf01

Page 1 of 1
Total Noticed: 1

Date Rcvd: May 13, 2011

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 15, 2011.
db/jdb +Bruce E. Spencer, Christie A. Spencer, 435 Wildwood Drive, Springfield, OH 45504-1052

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 15, 2011

Signature:

